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5 UNITED STATES DISTRICT COURT
6 EASTERN DISTRICT OF CALIFORNIA
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8 LAMONT SHEPARD,

9 Plaintiff,

10 vs.

11 M. PODSAKOFF, et al.,

12 Defendants.
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1:12-cv-00495-AWI-GSA-PC

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS
(Doc. 25.)

ORDER GRANTING DEFENDANT'S
MOTION TO REVOKE PLAINTIFF'S IN
FORMA PAUPERIS STATUS
(Doc. 18.)

ORDER VACATING ORDER ISSUED ON
JANUARY 28, 2014
(Doc. 4.)

ORDER REQUIRING PLAINTIFF TO PAY
\$350.00 FILING FEE IN FULL WITHIN
THIRTY DAYS¹

ORDER FOR CLERK TO SERVE THIS
ORDER ON COURT FINANCIAL
DEPARTMENT AND DIRECTOR OF
CDCR

21 Lamont Shepard ("Plaintiff") is a state prisoner proceeding pro se in this civil rights
22 action pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate
23 Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

24 On June 22, 2015, findings and recommendations were entered, recommending that
25 Defendant Podsakoff's motion to revoke Plaintiff's in forma pauperis status under 28 U.S.C. §
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27 ¹ At the time Plaintiff filed the Complaint commencing this action, the fee to file a civil rights action was \$350.00.
28 See 28 U.S.C. § 1914(a). According to court financial records, no payments have been made for the filing fee for
this action to date.

1 1915(g) be granted. Doc. 25. The parties were granted thirty days in which to file objections
2 to the findings and recommendations. Id. To date, no objections have been filed.

3 In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(B) and Local Rule 304, this
4 Court has conducted a de novo review of this case. Having carefully reviewed the entire file,
5 the Court finds the findings and recommendations to be supported by the record and proper
6 analysis.

7 Accordingly, THE COURT HEREBY ORDERS that:

- 8 1. The findings and recommendations filed by the Magistrate Judge on June 22,
9 2015, are ADOPTED IN FULL; and
- 10 2. Defendant Podsakoff's motion to revoke Plaintiff's IFP status under section
11 1915(g), filed on December 9, 2014, is GRANTED;
- 12 3. Plaintiff's in forma pauperis status is REVOKED;
- 13 4. The court's order issued on April 3, 2012, which granted Plaintiff's motion to
14 proceed in forma pauperis, is VACATED;
- 15 5. Within thirty days of the date of service of this order, Plaintiff is required to pay
16 the \$350.00 filing fee in full for this action;
- 17 6. Failure to comply with this order shall result in the dismissal of this action; and
- 18 7. The Clerk of Court is directed to serve a copy of this order on Plaintiff and on:
 - 19 (1) the Financial Department, U.S. District Court, Eastern District of
20 California, Fresno Division; and
 - 21 (2) the Director of the California Department of Corrections and
22 Rehabilitation, via the court's electronic case filing system
23 (CM/ECF).

24 IT IS SO ORDERED.

25 Dated: August 8, 2015

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27 SENIOR DISTRICT JUDGE
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